FILED MAY 20 2015 ANN THOMPSON, CLK U.S. DISTRICT COURT WEST DISTRICT OF MISSOURI JA

Judge Sederman

US Bankruptcy Court

400 East 9th Street, Rm 1510

KCMO 64106

Concerning case NO 10-61562-abf7

Dear Judge Sederman,

My name is Gerard I. Porter, my wife's name is Brenda Porter and we have 9 children together. In 2010, due to medical debt after I was injured, and the inability to work for three months after the injury, and from complications from the last pregnancy (medical debt again), not to mention the effect on my chiropractic business due to the economic collapse and time out of the office we were forced to claim bankruptcy. We lost our house and farm, and are still suffering the financial and psychological effects.

June 15, 2014, I requested (and paid 250.00 to the court) to re-open the case and add the Department Of Education as a creditor, and include student loans. The lawyer that did our bankruptcy would not include them. We did consult with two other lawyers both charged us for our consultation and would not take our case or try. After a little research I figured I had to try. I filed a motion to re-open the case to add the Department of Education, and filed a Schedule E- creditors Holding Unsecured Priority Claims form. The Department Of Education was sent a copy of the motion by certified mail, which they notified me also by phone that they received it. The motion clearly stated they had 30 days to Object or respond, if no objection they would be discharged and the case reclosed. They did not respond and the case was closed, but no action was taken by the court. It seems that if they were not discharged there should have been a hearing so I could explain my case.

The original student loans were held and serviced by SALLIE MAE, now known as Navient, I have enclosed a copy of my payment history with them. In 1996 I consolidated my student loans with William D Ford Federal Direct Loan Program. I had to be put to the income contingent repayment plan. We were a single income family and I was paying on my wife's student loans which totaled 30000.00 (which I did pay off) with the idea I would then be able to pay more toward mine after that. The total amount of the consolidated loan was 140841.34. I paid 57841.00 on this program of which only 475.72 went to principle, and 57499.12 went to interest. This did not even cover the interest and meanwhile it accrued and was capitalized. In the Brunner test Qualifications for student loan discharge in bankruptcy it requires that a good faith effort was made to repay the loans, and this shows for years I made payments and tried to avoid default.

In 2008 I had and injury to my right shoulder, (dislocation/fracture). I was out of work for three months. I sold whatever I could to survive and support my family. The injury left me a permanent instability, dislocating 15 more times since, each time putting me out of work at least a month. In 2014, I fell and severely dislocated and reinjured it. I saw an orthopedic surgeon and had a second MRI. He said surgery could maybe buy a little time, or make it worse. He said at best it would need joint replacement in 3-5 years. I chose to rehab it again and live with it and work what I can. I'm inclosing both MRI reports from 2008 and 2014. In the Bruner Qualifications it asks if there is evidence financial will continue for a significant period of time or over the remaining term of the student loan. I have a ruptured bicep, the right pectorals muscle is torn 70percent, The supraspinatus tendon (rotator cuff) is torn 75 percent into the critical zone. The Gleno humeral cup has a huge ban cart fracture making the joint instable and unfixable. To me that sounds long term.

The third part of the Bruner test says "if forced to repay the student loan, would the filer be able to maintain a minim standard of living"? They have added 68000.00 in penalties in the last 2 years not counting capitalized interest accumulating which is over 30000.00 yearly. The rehab plan wants you to make nine payments of 1% of the loan which is 3600.00. That would be two thirds of my total income. If they then put me on the income contingent plan again which is 5% of your income and you don't miss a payment for twenty years they will cancel, but the IRS considers that income and I would immediately owe taxes on over 1700000.00 dollars. (My estimate).

In summary the original amount of the loan was 119590.18. The total now is 362053.09. Penalties added are 68551.58 not counting interest . I paid 11461.00 to SALLIE MAE, now known as Navient, and 57814.84 to William D Ford program, totaling 69276.16. I have not the ability to pay this or I would. Any money I pay will make no difference. I talked to the bankruptcy department at the Department of Education they said the judge can declare it a hardship case and discharge them. Please consider my case and give me some hope. I will take any advice. The bankruptcy department at the Department Of Education address is:

Department Of Education

Attention Bankruptcy Department

Pobox 16448

ST. Paul MN

55116

Phone number is: 888-363-4562

Thank you for your time and please help me if you can, again I appreciate any advice,

Sincerely

Gerard I Porter